

MINUTES OF THE SPECIAL MEETING OF THE PLANNING BOARD OF THE VILLAGE OF IRVINGTON HELD IN THE TRUSTEES' ROOM, VILLAGE HALL, ON WEDNESDAY, APRIL 25, 2001.

Members Present: Peter Lilienfield, Chairman
William Hoffman
Jay Jenkins
Walter Montgomery, Secretary

Also Present: Lino J. Sciaretta, Village Counsel
Edward P. Marron, Jr., Building Inspector
Florence Costello, Planning Board Clerk
Mary Beth Dooley, Environmental Conservation Board
Don Marra, Irvington School Board
J&L Reporting Service, for Westwood Development Associates
Applicants and other persons mentioned in these Minutes
Members of the Public.

IPB Matter

Considered: **94-03 – Westwood Development Associates, Inc.**
Sht.10,P25J2,25K2,Sht.10C,BI.226,Lo ts 25A,26A,
Sht.11,P-25J

The Chairman called the meeting to order at 8:00 p.m. A record of the meeting was stenographically recorded.

The purpose of the special session was to consider:

- The draft of the Lead Agency Findings Statement
- The IPB's draft Resolution for Conditional Approval of Preliminary Subdivision Layout and Approval of Limited Site Development Plan.

The discussion focused on confirming the accuracy of information in the draft of the Lead Agency's Findings Statement and ensuring its consistency with the IPB draft Resolution. In the review of the Lead Agency Findings Statement and its accuracy, the following points, inter alia, were raised:

- Updated references to the Village Code re: zoning and subdivision.
- The need to correct site descriptions/lot numbers
- Chuck Pateman confirmed that the Conservation Parcel does not include Marshall's Pond or the emergency connector
- Confirmation of Board of Education's agreement with Applicant on design changes, access, etc.
- The need to conform language in para. 3, p. 3 to Resolution's acreage
- No changes in waivers requested (p. 5 of Lead Agency Findings Statement)

- Need for date of Patterns for Westchester
- Confirmation that data in para. 4, p. 8 correct, re: lot identifications and sizes
- Confirmation of lot numbers in para. 4, p. 10
- Confirmation of lot numbers in para. 5, p. 13
- Lot numbers for sewers (para. 3, p.14) deleted numbers 18 and 19, and added 22
- Easement for emergency access, pedestrians and public sewer ; last two sentences added to para. 2, p. 17
- Changed language p. 20 para 5 to: “The applicant’s traffic study recommended That....
- Traffic light is now in place para. 4, p. 21)
- Reference to Lot 10, tract C deleted, (para. 4, p. 24) text corrected

There ensued a discussion between the Chairman and Mr. Pateman regarding the reasonableness of the 300-ft. setback requirement, cited on p. 26, para. 3 regarding lots 34 and 35. Among other issues, the appropriateness of such lots for swimming pools was discussed. The Chairman, on advice of legal counsel, stated that it would be incumbent on future applicants owning the properties in question to seek a revision of the 300-ft. requirement, if the applicants so wished. The Chairman did state that the reference to specific lots - #34 and #35 – should be deleted in the draft resolution (p. 10, II, K of the draft).

Other topics mentioned with respect to the Lead Agency Findings Statement included:

- P. 26 need to change “305-ft to “300-ft
- P. 29, modification of language on blasting to cite latest sections of Village Code
- Need to define “building envelope”

The Chairman requested a motion to approve the Lead Agency Finding Statement in concept, with the stipulation that all tax lot and other information would be confirmed, and that the changes discussed at this meeting would be reflected in the modified text before the final statement is signed. The Chairman said that, with those conditions satisfied, the Board would sign the Statement at its regular meeting on May 2, 2001.

The motion was seconded, and three Board Members voted to approve the motion; Mr. Montgomery abstained, since he was new to the Board and had not participated in any previous deliberations on this project.

The Chairman then lead a discussion of the Resolution for Conditional Approval of Preliminary Subdivision Layout and Approval of Limited Site Development Plan for Westwood. The discussion involved confirming the accuracy of the Resolution and its conformity with the language of the Lead Agency’s Findings Statement. The points covered, inter alia, were:

- Tax lot numbers (II-1)
- P. 2, additional language for II-5
- Accuracy of number – 46 – for single-family building lots (p. 33, II-15)

- Addition of date (p. 4, II-21)
- Date (November 3, 1999) page 5, II-35
- Date (4/25/01) to be inserted in page 6, II-43
- Addition of last sentence in I, p. 7
- Addition of last clause in II, p.7
- “Open items” (p. 8, II-C) including need to clarify #8 on p. 9
- Access retained for Village (p. 10, II-M)
- Revision of language pertaining to gates (p. 12, II-I)
- Addition of date (November 3, 1999) (I-A, p. 14)
- Revision of language on blasting (I- E, 1, p. 20)

At this point, the tax-lot numbers were corrected and verified for both the Lead Agency Findings Statement and the Resolution.

The Chairman asked for a motion to approve the Resolution “in concept,” subject to final confirmation of all entries in the Resolution, with an understanding that the Planning Board would sign the modified Resolution at its regular meeting of May 2, 2001.

The motion was duly made and seconded. Three members of the Board approved the motion; Mr. Montgomery again abstained.

Various issues were briefly discussed without any action. Among them was responsibility for maintenance at Marshall’s Pond. The Chairman said he felt that standards for maintaining the Pond should rest with the Homeowners’ Association, not an individual property owner or owners.

The meeting was adjourned at 8:45 p.m.

Respectfully submitted,

Walter Montgomery, Secretary